

PRESS RELEASE

June 29, 2006

RE: UNITED STATES v. JERMAINE M. TENNYSON, DOUGLAS P. JOHNSON, LAWRENCE A. GRANT and JOHN F. APOLITO

United States Attorney Terrance P. Flynn and Niagara County District Attorney Matthew J. Murphy, III, jointly announced today a federal grand jury, had returned a 3-count Indictment, charging JERMAINE M. TENNYSON, age 26, of 1279 Norwood Drive, Lockport, New York; DOUGLAS P. JOHNSON, age 28, of 40 Ashley Place, Lockport, New York; LAWRENCE A. GRANT, age 18, of 13 Blackley Court, Lockport, New York; and JOHN F. APOLITO, age 44, of 9 Monroe Street, Lockport, New York, in the first count of the Indictment, with unlawfully and knowingly possessing stolen firearms, in violation of Title 18, United States Code, Section 922(j). The second count of the Indictment charges JERMAINE M. TENNYSON with unlawfully and knowingly possessing a firearm, in that he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Section 922(g)(1). The third count in the Indictment charges DOUGLAS P. JOHNSON with unlawfully and knowingly possessing a firearm, in that he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, in

violation of Title 18, United States Code, Section 922(g)(1). It should be noted that the fact that a defendant has been charged with a crime . . . is merely an accusation and the defendant is presumed innocent until and unless proven guilty. (**Disciplinary Rule 7-107(B)(6)**).

United States Attorney Flynn and District Attorney Murphy noted that this case arose as part of the Project Exile Program. Project Exile involves a cooperative effort between the Niagara County District Attorney's Office and the United States Attorney's Office for the Western District of New York with regard to the prosecution of firearms offenses. In instances where the prosecution of an alleged firearm offense would result in potentially greater penalty if prosecuted federally, the Niagara County District Attorney's Office has agreed to cooperate with the United States Attorney's Office in the federal prosecution of such cases. The present Indictment is an example of such cases.

Assistant United States Attorney Richard P. Maigret stated that the present Indictment arose out of an April 9, 2006, burglary of a residence in the Town of Wilson, New York. During the burglary, the above-named defendants stole over 20 firearms from the home while the victim was at work. Upon returning home and realizing that his residence had been burglarized, the victim contacted the New York State Police. Within a few hours, the New

York State Police had determined the identity of the defendants and placed them under arrest. Nineteen of the 22 firearms stolen were recovered. It was determined, as a result of the investigation, that the serial number of at least one of the firearms had been obliterated and removed between the time it was stolen and when it was recovered.

Two of the defendants, JERMAINE M. TENNYSON and DOUGLAS P. JOHNSON, have prior felony convictions, and thus, each were charged in separate counts of the Indictment with the offense of the unlawful possession of a firearm.

The investigation was conducted by members of the New York State Police Department, assisted by Special Agents of the Bureau of Alcohol, Tobacco, Firearms & Explosives from the Buffalo Field Office, under the direction of Resident Agent In Charge, David P. DeJoe. Prosecution of this case will be handled by Assistant United States Attorney Maigret.